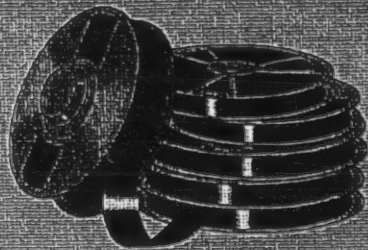


# Ontario Film Review Board

## Annual Report 2007/2008



[www.ofrb.gov.on.ca](http://www.ofrb.gov.on.ca)





Ontario

Ontario Film Review Board

May 15, 2008

The Honourable Ted McMeekin  
Minister of Government and Consumer Services  
Whitney Block  
4th Floor, Suite 4320  
99 Wellesley St. W.  
Toronto ON M7A 1W3

Dear Minister McMeekin:

I am pleased to present the Annual Report of the Ontario Film Review Board for the fiscal year ending March 31, 2008.

The report outlines the duties and responsibilities of the Ontario Film Review Board under the mandate of the *Film Classification Act, 2005* and the operating results for the fiscal year.

Yours sincerely,

Janet Robinson, Chair

**Ontario Film Review Board**

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## Report from the Chair

The fiscal year 2007-2008 was a busy year for the Ontario Film Review Board (OFRB). Our daily activities have continued under streamlined procedures and our public education program has expanded with new initiatives.

### Daily Activities

In 2007-2008 the OFRB classified 4,783 films, screening a total of 475,684 minutes of film. In addition, we classified another 2,720 films by documentation.

As of March 31, 2008 the OFRB consisted of 20 members representing a cross section of Ontario's diverse population. At the Chair's discretion three-member panels for 35mm continue. Senior members work as single-person panels for adult film approval. Two-member panels screen mainstream DVDs and videos. There were 467 screening panels of which 207 were one-person panels. All members continue to be trained in the classification guidelines and administrative work that is required in completing summary reports.

The OFRB continued to update its formal *Member Reference Manual*, a document designed to be easily amended to reflect new policies and procedures. Adult films remain stable, although with fewer non-approval decisions.

Public evenings continue to be very popular with the community and university film schools. We had 21 public screenings with approximately 354 participants. We provided *closed captioning* service to assist a community member and will be continuing this service in 2008-09 to reach all members of the community.

As chair, I continued to participate in "Bring your Kids to Work" day, speaking with 90 grade nine students explaining how the OFRB classifies film.

Our outreach program included a seminar for students in Carleton University's Film Studies program.

We have continued the public evening survey process to measure the effectiveness of this program. Please see page 11 for the results.

The OFRB hosted several paralegal students from Humber College as part of their adjudication studies.

The 2007-08 "Class Acts Wanted" public service announcement competition with Ontario film schools was announced with Minister Phillips at the Ontario College of Art and Design in Sept 2007. This resulted in 11 storyboard submissions. The competition committee selected the top 5 candidates and they were each provided with funding up to \$10,00.00 and a mentor from the advertising industry. Finished film submissions are due July 17, 2008. Results will be announced at a reception on July 24, 2008.

The Cineplex theatre organization has very kindly offered to alternate the PSAs on their pre-show reel. The finalists from 2006 competition had wonderful exposure of their films, with screenings on more than 690 screens in Ontario in the Cineplex and Empire theatre organizations. In addition Rogers Cable showed the PSAs on their Pay-Per-View Channels. What a wonderful opportunity to showcase Ontario's future filmmakers and educate Ontarians at the same time.

ShowCanada is an annual industry show organized by the Canadian Motion Picture Distributor Association. The Interprovincial Film Classification Council of Canada (IFCCC), of which the OFRB is a member, holds its annual meeting at ShowCanada. The provincial classification boards take this opportunity to meet and discuss common concerns and initiatives. As the 2007 meeting was in Niagara Falls, Ontario, the OFRB was please to host the annual IFCCC meeting.

We held two full board meetings with the Honourable Doug Frith, President of the Canadian Motion Picture Distributor Association attending the May meeting. The topic discussed was piracy of 35mm film and their work with the Federal government enacting new laws on copy write and piracy.

At the November meeting a seminar was held discussing the violence/horror element in mainstream film. At that time the board asked to have a second seminar on the violence element alone that was held in January 9, 2008. In order to keep current we will continue to have seminars the day prior to our board meetings and will initiate any required changes to our classification guidelines at the board meeting

## Objectives of the Chair

My major objective as Chair of the OFRB is to provide information to the consumers of Ontario. It is important that we supply individuals with sufficient information to make informed entertainment choices for themselves and, more importantly, for their children.

Several revisions have been made to the OFRB website to ensure it continues to be current. It not only includes film classifications and content advisories, but also all detailed elements observed by the panel during the classification process.

The OFRB's brochure, "It's Your Choice" was distributed to Ontario's Early Years Centres and Service Ontario sites with the assistance of the Ministry of Children and Youth Services. The brochure, which is also available on the OFRB's website, is aimed at helping parents increase understanding of the film and video game classification system and where to find information on films and video games to help make informed viewing decisions.

Looking to the future, we will continue to further our excellent working relationship with the film industry and the other provincial boards, continue to improve our website, and move forward with new ideas and initiatives to educate and serve our clients, the residents of Ontario.

I am looking forward to the future with a commitment to undertake new challenges, promote education, and inspire innovation.

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## The Board and its Operations

### Our Mission

The OFRB receives its mandate from the Ontario government through the *Film Classification Act, 2005 (FCA)* and operates as an arm's-length agency reporting to the Minister of Government and Consumer Services.

Subject to a few specific exceptions, if a film (feature/trailer), including videos and DVDs is to be distributed or exhibited in Ontario, it must first be classified by the OFRB.

Under the authority of the *FCA*, the OFRB reviews and classifies mainstream film and reviews and approves adult sex films for public exhibition and distribution. Ontario's film classifications, *General*, *Parental Guidance*, *14A*, *18A* and *Restricted*, are set out in Regulation 452/05 under the *FCA*.

### Who We Are

The OFRB is a community board, and its members represent a cross-section of the many diverse communities across Ontario. The OFRB's members vary in age, gender, vocation, cultural background and sexual orientation.

On the recommendation of the Minister of Government and Consumer Services and the Provincial Cabinet, members are appointed for an initial two-year term by the Lieutenant Governor through orders-in-council. Members may be re-appointed for a further 3-year followed by a 5-year term for a maximum of 10 years on the board.

Members work a seven-hour day, usually four to five times per month, and are paid on a per diem basis.

### Types of Panels

There are three types of screening panels, with a senior member providing oversight to each. Each type of panel serves a different purpose as follows:

*Normal:* This panel consists of one to three members. Although the members endeavour to agree on the classification, occasionally one may disagree with the classification, and that member may request a cumulative panel.





*Cumulative:* Two to four other board members screen the film. The results of both the Normal and Cumulative Panels are tallied, and the majority rules. Since a member initiates this process, there is no cost to the submitter. This type of panel is considered part of our in-house quality assurance program.

*Appeal:* This panel is requested and paid for by a submitter who is dissatisfied with the OFRB's initial decision. It consists of three to five members who have not yet seen the film in question. This panel's decision as to classification or approval is final subject to the right of the Director to require reconsideration.

By the time a controversial film has gone through three panels, as many as 12 different board members have viewed the film.

*Reconsideration:*

The Director under the *Film Classification Act, 2005* may submit a film including a video game to the Board, or require a person who distributes, offers to distribute, exhibits or offers to exhibit a film or video game to submit it to the Board for the purpose of reconsidering the classification or approval decision, or to determine if a film is exempt. In such cases there is no additional cost to the submitter and the panel consists of a minimum of three members who have not yet seen the film in question. This panel's decision is final.

## How We Classify

The OFRB members take into account the general character and integrity of each film in its entirety and use the *FCA* and sets of guidelines to determine the film's classification. These guidelines, which are continually reviewed and updated, allow the board to be objective yet flexible. In this way, the board is not only able to maintain the integrity of community standards, but also to appreciate and accommodate the film's artistic merit, or social and documentary significance.

While viewing the film, each panel member makes notes on the elements that contribute to the classification. These elements include coarse language, nudity, violence, sexual activity, horror and psychological impact. Following the screening, panel members use these notes in their discussion and to determine their ultimate decision as to the classification of the film.

Each element is weighed on the basis of content and treatment and the cumulative effect of those factors on the audience. Members consider style, tone, duration, frequency and the amount of visual and/or verbal detail. How the elements relate to the narrative also contributes to the panel's decision.

Besides the classification, the OFRB may choose to include content advisories, such as *Nudity*, *Coarse Language* or *Brutal Violence*. These warnings, along with the classification, must appear on all exhibition-related advertising to help the viewer make informed choices.

## Why We Classify

A film classification board helps consumers make informed choices about the films they see. Throughout the developed world, movie viewers have asked for industry-independent information about age-suitability (the classification) and content (advisories such as *Coarse Language*, *Violence*, *Nudity*, etc.) of films. This information assists them in deciding whether a particular movie is appropriate for their children, or for themselves.

Most developed countries, including the United States, Great Britain, Australia, New Zealand, South Africa, France, Germany, Spain, Portugal, Greece, Norway, Denmark and Sweden have film classification boards.

The OFRB's focus is classification. The board is a valued source of information about movies and videos that helps viewers make the right entertainment decisions for themselves and for their children.

## Our Community

Community standards are at the forefront whenever the OFRB revises its guidelines. The board uses many avenues to gauge the needs of the community it serves.

The OFRB is structured specifically to address community standards issues. OFRB members are people from all over the

province of Ontario, who screen films on a part-time basis. Members represent the diverse population of Ontario - varying ages, with diverse work histories, ethnic backgrounds and sexual orientations. We strive to have an equal male-female split.

The full board meets at least twice a year to discuss any changes in policy, procedure or guidelines. All changes are discussed, debated and voted on by the full board before any changes are made.

The board tests its perception of community standards in twice-monthly screenings where public groups view a movie with the official panel and compare their opinions about how the movie should be classified against the official panel's decision.

The board also hears directly from the media, from public interest groups and from members of the general public via letter, telephone, fax, e-mail and its website.

The board's responsibility is to understand and reflect the community standards of Ontario.

### **Refusal to Approve**

The OFRB's authority to refuse approval of films is for films that have as their main object the depiction of explicit sexual activity. The OFRB's authority to refuse approval is based on the standards of criminal obscenity. The board regularly reviews its Adult Sex Guidelines to ensure as much consistency as possible within its mandate as a provincial regulator, with the rules governing the Canadian Border Services and the Criminal Code of Canada. The OFRB plays no role in determining obscenity or child pornography. This is a function of the police and is a federal responsibility.

## Financial & Operational Information 2007-2008

### Financial Information - 2007/2008

<b>Revenue:</b>	Film and Video Classification Fees *	\$ 3,734,654
	<b>Total Revenue</b>	<b>\$ 3,734,654</b>
<b>Expenditures:</b>	Per Diems	\$ 482,160
	Direct Operating Expenses	\$ 86,373
	Administrative & Overhead Expenses	\$ 406,000
	<b>Total Expenditures **</b>	<b>\$ 974,533</b>

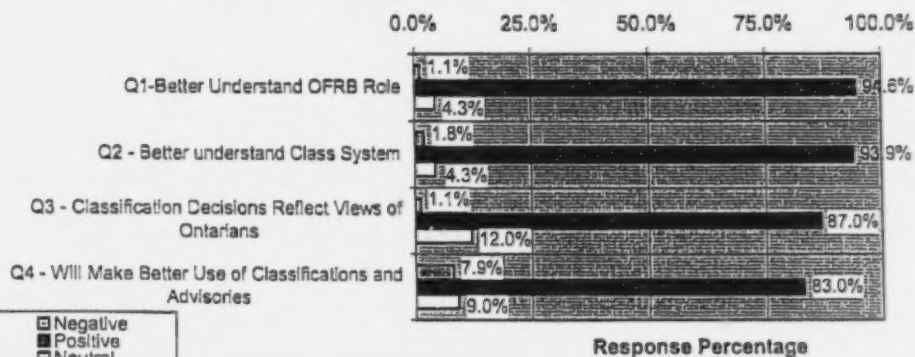
\* For classification of films including videos and DVDs distributors pay \$4.20 per minute. Mainstream films in languages other than English and French pay a flat fee of \$78.75 per film, and there is no fee for mainstream films wholly produced in Canada. There are also fees for classifying trailers, and for some films classified by documentation.

\*\* Note: This excludes indirect costs related to activities such as inspection, enforcement, legal, policy, etc.

### Classification Breakdown - 2007-2008 Mainstream Films Screened (all languages)

	2007/2008	2006/2007	2005/2006
General	19%	18%	25%
Parental Guidance	28%	29%	35%
14A	36%	40%	30%
18A	10%	8%	7%
Restricted	7%	5%	3%

### Public Screening Survey Results - 2007-2008





## Financial and Operational Information

	2007/2008	2006/2007
<b>Financial Information</b>		
• Revenue*	\$3,734,654	\$2,978,212
• Expenditures**	\$974,533	\$877,806
<b>Operational Information</b>		
<b>Films Screened</b>		
• Mainstream (English and French)	1,578	1,444
• Mainstream (other languages) ....	238	226
• Adult Sex Films .....	2,548	2,525
• Mainstream Trailers .....	419	417
<b>Total Films Screened .....</b>	<b>4,783</b>	<b>4,612</b>
<b>Minutes Screened</b>		
• Mainstream (English and French)	160,540	134,658
• Mainstream (other languages) ....	26,898	25,177
• Adult Sex Films .....	287,378	287,612
• Mainstream Trailers .....	868	867
<b>Total Films Screened .....</b>	<b>475,684</b>	<b>448,314</b>
<b>Classified without screening</b>		
• Mainstream Films (Classified by documentation)	2,720	2744
<b>Appeals/ Non-Approval/ Reconsideration Decisions</b>		
• Appeals – decision changed .....	10	9
• Appeals – decision upheld .....	8	1
• Non-Approval decisions .....	6	25
• Reconsideration – decision changed .....	3	1
• Reconsideration – decision upheld .....	0	1
<b>Screening Panels</b>		
• Number of Panels .....	505	467
• Average Panel Minutes.....	942	960
<b>Turnaround time</b>		
• 35mm film (standard <=1-2 days) .....	1.6	1.3
• Video/ DVD (Mainstream) (standard <=10 days) .....	6.7	7.1
• Video/ DVD (Adult) (standard <=10 days) .....	8.8	9.6
<b>Public Screenings</b>		
• Number of screenings .....	21	24
• Number of participants .....	354	448

\* For classification of films including videos and DVDs distributors pay \$4.20 per minute. Mainstream films in languages other than English and French pay a flat fee of \$78.75 per film, and there is no fee for mainstream films wholly produced in Canada. There are also fees for classifying trailers, and for some films classified by documentation.

\*\* This excludes indirect costs related to activities such as inspection, enforcement, legal, policy, etc.

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## Chair

### **Janet Robinson**

Janet Robinson is a Registered Nurse, who worked for 24 years in a demanding obstetrical/gynaecological practice. She established a consulting company that provided home visits to new parents.

Janet worked several years as a part-time contract Occupational Health Nurse with the Toronto Star, Ontario Power Generation and the Royal York Hotel.

Janet is also active in her community where she lives with her husband. They have two grown children and three grandchildren. When her schedule permits, she loves to pursue her passion for reading and golf with friends and family.

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## Acting Chair

### **Shauna Stein**

Shauna Stein was appointed to act as Chair of the Ontario Film Review Board when the Chair is absent or unable to act.

Shauna was appointed as a Community member of the CPP/OAP Review Tribunal in March 2007 for a three-year term. She has taught for over ten years in both the public and private school systems. She is a certified yoga instructor, and has taught yoga to women with Multiple Sclerosis on a volunteer basis, through Toronto Parks and Recreation.

Shauna holds a Bachelor of Arts in sociology and an honours degree in sociology from York University as well as a Bachelor of Education/OTC from the University of Toronto.

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**Members of the Ontario Film Review Board**

Member	Municipality	First Appointed (current position)	Current Term Expires
Duane Anderson	Toronto	October 25, 2006	October 25, 2008
Aris Babikian	Toronto	December 7, 2005	December 7, 2008
Tina Bragagnolo	Ajax	May 28, 2003	May 28, 2009
Pat Brown	Brantford	July 15, 2005	July 15, 2008
Tony Cosentino	London	July 5, 2004	July 5, 2009
Donald Duprey	Toronto	November 15, 2006	November 15, 2008
Lorraine Dupuis	Sudbury	April 11, 2006	April 11, 2009
Cathy Ferlisi	Concord	October 25, 2006	October 25, 2008
Janet Fine	Toronto	December 7, 2005	December 7, 2008
John Hastings	Toronto	June 30, 2006	July 30, 2007
Lorelei Kidd	Toronto	April 24, 2003	April 24, 2008
Kristina Laukkanen	Toronto	October 25, 2006	October 25, 2008
Ron Maloughney	Burlington	June 22, 2005	June 22, 2008
Claudia Monte	Windsor	October 25, 2006	October 25, 2008
Aggrey Msosa	Ottawa	May 17, 2006	May 17, 2009
Sue Rainville	Toronto	June 1, 2005	June 1, 2008
Janet Robinson	Toronto	October 13, 2004	July 15, 2008
Shauna Stein	Toronto	November 22, 2002	November 22, 2011
Trudie Villeneuve	Toronto	January 5, 2006	January 5, 2009
John Wilkie	Toronto	April 11, 2006	April 11, 2009

